

## UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America )

v. )

Christopher O'Sullivan )

Case No. 19-1488-M )

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 19, 2019 in the county of Philadelphia in the  
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

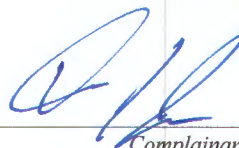
18 U.S.C. 2422(b)

Offense Description

using a facility of interstate commerce to persuade, induce, entice or coerce a  
 minor to engage in criminal sexual activity

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.


Complainant's signature

FBI SA Daniel Johns

Printed name and title

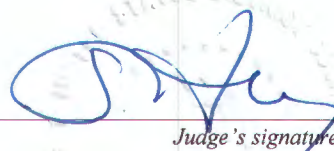
Sworn to before me and signed in my presence.

Date:

8/29/19

City and state:

Philadelphia, PA



Judge's signature

Hon. Elizabeth T. Hey, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT**

I, Daniel J. Johns, being first duly sworn, hereby depose and state as follows:

1. I am employed as a Special Agent of the Federal Bureau of Investigation (FBI) in Philadelphia, Pennsylvania. I am thus a "federal law enforcement officer," as defined by the Federal Rules of Criminal Procedure. I have been employed as a Special Agent since March 2007. I am presently assigned to the Philadelphia Division's Crimes Against Children squad, which investigates sex trafficking of children and prostitution investigations, child pornography, and kidnappings, among other violations of federal law. I have gained experience through training at the FBI Academy, various conferences involving crimes against children, and everyday work related to conducting these types of investigations.

2. I make this affidavit in support of the attached criminal complaint and arrest warrant charging CHRISTOPHER O'SULLIVAN with knowingly persuading, inducing, enticing or coercing a minor to engage in any sexual activity for which any person can be charged with a criminal offense, or attempting to do so, on or about July 19, 2019, in violation of 18 U.S.C. § 2422(b).

3. The statements in this affidavit are based in part on my investigation of this matter and on information provided by other law enforcement officers. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of the attached complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause in support of the complaint.

4. On July 23, 2019, the parents of a twelve-year-old minor male victim (hereinafter referred to as "VIC"), made a complaint at a Philadelphia middle school. The parents, school and

VIC are known to law enforcement. The parents provided school officials with VIC's cellular phone, which contained several hundred text messages through Apple's iMessage service. These messages were between VIC and 610-xxx-1564. VIC had this number saved in his phone as "Mr O.," identified as CHRISTOPHER O'SULLIVAN, a teacher at the school. The messages appeared to be sexual in nature and school officials advised VIC's parents to file a complaint with the Philadelphia Police Department (PPD). Prior to doing so, school officials created a video file which captured the messages between VIC and "Mr. O." Additionally, a school Information Technology employee who is known to law enforcement utilized software to create a copy of "back-up" of the messages on VIC's cellular phone. Both the video and the back-up have been provided to law enforcement.

5. I have confirmed that 610-xxx-1564 is the phone number of CHRISTOPHER O'SULLIVAN. Three different school employees informed me that they associate that number with their employee, CHRISTOPHER O'SULLIVAN. It is also the phone number that they have on file for him at the school.

6. VIC's parents filed a complaint with the PPD and brought VIC in for an interview. VIC told PPD that he had been communicating by text message with Mr. O'SULLIVAN, whom he identified by photograph. The photograph identified by VIC depicted CHRISTOPHER D. O'SULLIVAN, date of birth 8/xx/1988, home address 5130 Springfield Avenue, Unit 2, Philadelphia, PA 19143. VIC told police that he never sent O'SULLIVAN naked images, nor had O'SULLIVAN touched him inappropriately. VIC stated that he had sent O'SULLIVAN an image of himself without a shirt and that O'SULLIVAN had asked him if he spoke to his friends about masturbation.



7. On July 31, 2019 your affiant reviewed VIC's cellular phone, which contained hundreds of messages to and from O'SULLIVAN. In those messages, O'SULLIVAN and VIC discussed going on out-of-state excursions, which included hiking and camping, as well as video games and general conversation. VIC's messages were primarily in response to inquiries by O'SULLIVAN and were very brief. VIC's brevity appeared to annoy O'SULLIVAN, in response to which he made several comments. For example, O'SULLIVAN sent the following messages to VIC: "Yo man, i know you're busy with camp and stuff but message me when you get the chance. I feel like your annoyed with me or something," "Alright but how come you haven't gotten back to me all day?," and, "Let's see if you do a better job messaging me now. I know you're tired. And maybe your phone is low. But if you're up in a bit i'll be waiting to hear from ya. I wanna see if you're all talk or actually a man of your word this time."

8. O'SULLIVAN also sent various messages that were suggestive. These included messages on June 30, 2019, wherein he asked VIC, "Can i still help you get better/more confident." VIC responded affirmatively, and O'SULLIVAN then said, "And what's something you can help me get better at?" This was followed by O'SULLIVAN messaging, "Id say video games.. but idk if i really wanna get better has," and "Huh?" On July 4, 2019, O'SULLIVAN also requested VIC delete their messages. For example, he stated, "I hope you made sure our other messages were closed/gone."

9. On July 4, 2019, O'SULLIVAN sent an image to VIC that contained what appeared to be a gift card with a code on the back. Based upon my training and experience, I know that gift cards can be utilized to make online purchases as long as the code on the back of the gift card is provided. After providing the gift card to VIC, O'SULLIVAN stated, "Don't leave me hanging any more bruh And you still gotta snap me back."

10. Based upon my training and experience, I know that "Snap" is a reference to Snapchat, a popular messaging and social media services wherein users can exchange text, image and video messages, apply filters to image and video messages, and post publicly on social media feeds. Snapchat messages can be designed to destruct within seconds, hours or a day. For this reason, Snapchat is often thought to be a safe mechanism to exchange naked images. Additionally, Snapchat is commonly used by persons enticing minors, due to the perceived security provided by the automatic deletion of messages. Based upon my training and experience, when an adult communicates with a child primarily through an SMS type service, like iMessage, but requests that certain images be sent via Snapchat, it is because they do not want any record of the images having been sent.

11. O'SULLIVAN appeared to have utilized Snapchat to exchange images that were sexual in nature with VIC, based upon various references. For example, in a message sent on July 6, 2019, O'SULLIVAN asked VIC to look at the "snaps" he sent VIC, and told VIC not to worry because they were all "pg." Additionally, on July 13, 2019, O'SULLIVAN asked VIC to "just send me snaps of what you're doing or where you are.. not the other stuff." On July 18, 2019, O'SULLIVAN asked VIC why he had not viewed the "snaps" O'SULLIVAN sent. Later that same day, O'SULLIVAN sent the following messages to VIC: "Glad you finally snapped me back 🍆" and "You can send me regular pics too. I like both."

12. On July 19, 2019 at 1:17 a.m., O'SULLIVAN asked VIC to "Send me some good ones buddy." On July 19, 2019 at 12:18 p.m., O'SULLIVAN sent VIC a message stating "Hey." VIC responded at 12:18 p.m., stating "Hey," then VIC wrote, "I did now," at 12:19 p.m. I know from reviewing VIC's phone that at the exact same day and time, July 19, 2019, at 12:19 p.m.,



VIC's phone was utilized to take a picture of a penis. O'SULLIVAN responded to VIC one minute later at 12:20 p.m., "Nicee." VIC responded at 12:24 p.m., "yeah." O'SULLIVAN then requested of VIC, "If you're okay with it you should try and send me a nice sexy video 😊 haha," followed by, "And obviously you don't have to." Later that same day at 3:16 p.m., O'SULLIVAN sent VIC an image of another gift card, then texted: "Hey i want you to have this, but i also want you to keep messaging me while im traveling please 😊," followed by, "And send me a video?"

13. O'SULLIVAN also exchanged messages with VIC of a sexually suggestive nature indicating that they saw one another in person. For example, on July 9, 2019, O'SULLIVAN and VIC had the following exchange:

OS: Would you want me to pick you up a little before everyone else to do stuff for a little then? Or are you thinking you don't want to today?

VIC: Not today to. Tommorw

OS: we'll be heading out for camping tomorrow

VIC: yea we can do it then

OS: Why do i have a feeling you're not gonna want to then either?

VIC: No. I'm am it batter. There. At the camp

OS: Yeah be it seems like you say you're interested and then change your mind and say not today. Which is totally okay.. i just wanna make sure it's something you actually WANT to do

VIC: It is. I like it. It feels good

OS: I agree.. so definitely tomorrow? You'll even take the lead?

OS: And you sure you don't think we can do any today?

VIC: Ok

OS: Can you at least send me some snaps this morning then?

OS: ??

OS: Also did you wanna try and make a copy of your key today?

14. In another message, sent on July 20, 2019, O'SULLIVAN asked VIC if he ever talked to his friends about "jerkin off?" Based upon my training and experience, I know that "jerkin off" means masturbation.

15. On August 1, 2019, a federal search warrant signed by the Honorable Thomas J. Rueter, United States Magistrate Judge, was executed at O'SULLIVAN's residence, 5130 Springfield Avenue, Unit 2, Philadelphia, PA 19143. At the outset of the search warrant execution, O'SULLIVAN was not present. During the search, O'SULLIVAN arrived and was allowed to enter the residence. On O'SULLIVAN's person was a black/grey Apple iPhone. O'SULLIVAN was provided with his *Miranda* warning by your affiant, after which he provided the PIN to his cellular phone. Your affiant utilized the PIN to place the phone into airplane mode. In addition to the seizure of the cellular phone, other property was seized from O'SULLIVAN's residence, including a Toshiba Laptop, serial number x717865q. Your affiant then obtained another federal search warrant for O'SULLIVAN's cellular phone, which was authorized on August 2, 2019, by Magistrate Judge Rueter.

16. A forensic review of the Toshiba Laptop revealed three unique images that depicted prepubescent, naked, male children with their erect penises exposed. All of these images were located in the "Explorer" folder and contained "thumbcache" within their file name. Based upon my training and experience, I know that this means the image is a thumbnail image, *i.e.*, the original file was once resident on the computer's file system. Also located were over one hundred images



and videos that depicted prepubescent male children either in underwear, shirtless, taking baths, or posing in a sexual manner.

17. One video file on the computer appeared to have been recorded by O'SULLIVAN. The video file depicted what appeared to be indigenous African tribespeople. This video file was located sequentially near additional images and videos that O'SULLIVAN apparently took while visiting Africa. The African tribespeople depicted in the video were mostly naked, including two infant children who had their respective penis and vagina exposed to the camera. The camera focused on the genitals for a brief period of time. I have confirmed through the U.S. Customs and Border Patrol TECS records that O'SULLIVAN traveled to South Africa in 2013.

18. During my forensic review of O'SULLIVAN's cellular iPhone, IMEI 357333094494220, phone number 610-xxx-1564, I located a portion of the aforementioned message exchange with VIC. The vast majority of the above-referenced messages appear to have been deleted from O'SULLIVAN's phone. Of note was an image of a prepubescent penis identical to the image on VIC's cellular phone taken on July 19, 2019 during VIC's text exchange with O'SULLIVAN. This image contained the following metadata: Creation Date: July 19, 2019, 12:19:05 p.m., camera make: Apple, camera model: iPhone 6s. I know that VIC's cellular phone is an iPhone 6s. This image was attached to an email message located within the "LocalAccountId/x-apple-transient-drafts.mbox/Messages" folder. The image was an attachment to a draft e-mail message entitled "Re: Netflix808" which was sent from "Chris O" to "Chris O." Based on my training and experience, I believe that O'SULLIVAN was attempting to preserve the digital image in another location by emailing it to himself.

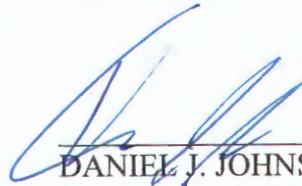
19. On August 12, 2019, VIC was interviewed by an FBI child adolescent forensic interviewer. In the interview, VIC was shown the aforementioned penis photograph. VIC stated



that the photograph was of himself and that he sent the photograph to O'SULLIVAN because he felt that he had to.

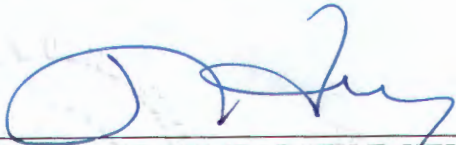
20. A further search of O'SULLIVAN's cellular phone revealed five images of penises of what appear to be minors. These images are located within a directory with "whatsapp" in the title, then within subfolders titled "Accounts", [610-xxx-1564], "backup." Based upon my training and experience, I know that WhatsApp is a free messaging and voice service for smartphones that utilizes the internet. Within the backup folder is a compressed file labeled "Media.tar." Files located within the "Media.tar" compressed archive are sequentially numbered (i.e. embedded\_1, embedded\_2). The images depicting penises of dark-skinned males are surrounded sequentially by images of what appear to be African teenage children, in that the background scenery closely resembles Africa and/or contains animals such as elephants and ostriches. Further, among these images is an image indicating O'SULLIVAN paid a person in South Africa using Western Union.

21. Based upon the foregoing, I respectfully submit that there is probable cause to believe that on or about July 19, 2019, CHRISTOPHER O'SULLIVAN persuaded, induced, enticed or coerced a minor to engage in any sexual activity for which any person can be charged with a criminal offense, or attempted to do so, in violation of 18 U.S.C. § 2422(b) . I therefore respectfully request that the Court issue the attached criminal complaint charging O'SULLIVAN with that offense, as well as the attached warrant for O'SULLIVAN's arrest.



DANIEL J. JOHNS  
Special Agent, Federal Bureau of Investigation

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 29<sup>th</sup> DAY  
OF AUGUST, 2019.



HONORABLE ELIZABETH T. HEY  
UNITED STATES MAGISTRATE JUDGE